

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of)	
)	
Shinichi Baba Et Al.)	
)	Group Art Unit: 2667
Serial No.: 09/822,822)	
)	Examiner: P. Jones
Filed: April 2, 2001)	
)	
For: Soft Handoff In IP-Based CDMA)	Attorney No. 04900.00001
Networks By IP Encapsulation)	

Declaration under 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Christopher R. Glembocki, declare as follows:

1. I am an attorney at Banner & Witcoff, LTD.
2. I am an attorney of record in the above-identified application.
3. I prepared and filed the above application on April 2, 2001.
4. The claims of the above identified application have been rejected over a combination of Ioannis in view of Corson. The filing date of Corson is February 16, 2001.
5. Attached to this Declaration is a copy of a letter showing my forwarding of the first draft of the application to the inventors. The date of the letter is before February 16, 2001. The date of the letter has been redacted.
6. The fact that the first draft of the application was forwarded prior to February 16, 2001, shows that the invention was conceived prior to the date of the Corson reference.

7. Applicants and the undersigned diligently worked on the application until the filing of the application on April 2, 2001.

All statements made of our own knowledge are true and all statements made on information and belief are believed to be true; and further, these statements were made with the knowledge that willful, false statement so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful, false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

/Christopher R. Glembocki/
Christopher R. Glembocki

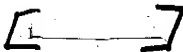
July 24, 2006
Date



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

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Mr. Shigeyoshi Shimotsuji
Vice President, Chief Scientist
Toshiba America Research, Inc.
P.O. Box 136
Convent Station, New Jersey, 07961-0136

VIA FACSIMILE

Re: U.S. Draft Patent Application
Your Ref. Soft Handoff in IP-Based CDMA Networks By IP
Encapsulation
Our Ref. 04900.00001

Dear Mr. Shimotsuji:

Attached is a copy of the first draft of the application. We have added a number of questions in the specification. Please have at least one inventor comment on each question.

Please have the inventors ensure that one of ordinary skill in the art is able to make and use the invention as described in the draft. Please also have the inventors ensure that the best mode or way or practicing the invention is covered.

If you have any question, please contact us.

Sincerely,


Joseph M. Potenza

JMP/CRG

Enclosure

CC: Shinichi Baba (with enclosure)
Tadahiko Maeda (with enclosure)
Prathima Agrawal (with enclosure)
Tao Zhang (with enclosure)

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